

**UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO**

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et al.*,

Debtors.¹

PROMESA

Title III

No. 17 BK 3283-LTS

(Jointly Administered)

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

PUERTO RICO ELECTRIC POWER
AUTHORITY (“PREPA”)

Debtor.²

PROMESA

Title III

No. 17 BK 4780-LTS

(Joint Administration Requested)

**URGENT INFORMATIVE MOTION REGARDING HURRICANE MARIA AND
REQUEST FOR ADJOURNMENT OF CERTAIN UPCOMING DEADLINES**

To the Honorable United States District Judge Laura Taylor Swain:

The Puerto Rico Fiscal Agency and Financial Advisory Authority (“AAFAF”), through its undersigned counsel, hereby states as follows.

¹ The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17 BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17 BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17 BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808); and (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17 BK 3566-LTS) (Last Four Digits of Federal Tax ID: 9686). (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

² The last four (4) digits of PREPA’s federal tax identification number are 3747.

1. Pursuant to the *Order Regarding Notice From the Clerk No. 17-11* [ECF No. 1325], AAFAF hereby respectfully submits this Urgent Informative Motion (i) regarding Hurricane Maria and (ii) requesting adjournment of deadlines with respect to certain motions on which the objection deadline or reply date is September 19, 2017, specifically, (a) the deadline to object to Ambac’s Rule 2004 Motion [ECF No. 1283], and (b) the deadline object to National Public Finance’s Rule 2004 motion [ECF. No. 1228]. AAFAF also seeks clarification, out of an abundance of caution, that all other deadlines falling between September 18 and September 22 will be treated in conformance with Notice 17-11.

2. As the Court knows, Puerto Rico is currently fully engaged in preparations for another hurricane. On September 18, 2017, Hurricane Maria “rapidly intensifie[d] into a major hurricane” and the National Hurricane Center issued a public advisory and hurricane watch for Puerto Rico. See HURRICANE MARIA PUBLIC ADVISORY, NATIONAL HURRICANE CENTER (2001), attached hereto as **Exhibit A**. The National Hurricane Center reported “[Hurricane] Maria is likely to affect Puerto Rico as an extremely dangerous major hurricane, and . . . [a] hurricane warning will likely be issued [on September 18, 2017].” See HURRICANE MARIA FORECAST DISCUSSION, NATIONAL HURRICANE CENTER (2001), attached hereto as **Exhibit B**. The National Weather Service reported that Hurricane Maria could pass through Puerto Rico as a Category 5 hurricane with winds of up to 160 miles per hour. See id.

3. Due to the potential impact of Hurricane Maria on Puerto Rico, on September 18, 2017, the Governor of Puerto Rico, Ricardo Rosselló, “declared a state of emergency and activated the National Guard.” See Governor Rosselló Urges to Evacuate Flood-prone Areas Before Hurricane Maria Passes Through Puerto Rico. Additionally, the President of the United States, Donald Trump, declared a state of emergency for the island, making Puerto Rico eligible for

federal assistance from any damage sustained by the storm. “President Donald J. Trump Signs Emergency Declaration for Puerto Rico.” See President Donald J. Trump Signs Emergency Declaration for Puerto Rico, FEMA.GOV, www.fema.gov/news-release/2017/09/18/president-donald-j-trump-signs-emergency-declaration-puerto-rico (last visited Sep 19, 2017).

4. In anticipation of Hurricane Maria’s landfall, Governor Rosselló announced that the Government of Puerto Rico would work until noon on September 18, 2017, and would put into action the plans for the protection of public property and governmental facilities. See Governor Suspendes Classes and Urges Citizens to Activate Contingency Plans in the Wake of Tropical Storm Maria, LA FORTALEZA, <http://www.fortaleza.pr.gov/content/gobernador-suspende-clases-y-urge-la-ciudadan-activar-planes-de-contingencia-ante-el-paso-de> (last visited Sep 18, 2017). In addition, to minimize disruption and mitigate potential loss, certain agencies, such as the Department of Justice, will be shutting down their servers beginning at 10 a.m. (ADT) on September 19, 2017, and by 12:00 p.m. (ADT) all of the Department of Justice’s technological information services will be offline. Acknowledging this, the United States District Court for the District of Puerto Rico (the “District Court”) issued a *Notice of Extension of Terms Due to Imminent Passage of Hurricane Irma*, which extends the deadlines of all filings due between September 18, 2017 and September 22, 2017 by five working days (the “Extension Notice”). See *Notice of Extension of Terms Due to Imminent Passage of Hurricane Irma*, <https://ecf.prd.uscourts.gov/sites/default/files/documents/notices/Notice%2017-11%20Extension%20of%20Terms.pdf> (last visited Sep 18, 2017). Subsequently, the District Court entered an order regarding the Extension Notice stating that such extensions did not apply to the objection deadline for matters scheduled for the October 4, 2017 Omnibus Hearing, without express permission of the District Court [ECF No. 1325].

5. The shutdown of certain government servers, the closure of government offices, and the need for responsible individuals to focus on hurricane preparation for their families, together with the anticipated loss of power in San Juan will hamper or eliminate communications between counsel to AAFAF and various government personnel necessary to review and approve certain AAFAF filings that are due on September 19, 2017. Specifically, AAFAF requests that the Court extend the September 19, 2017 objection and reply deadline for AAFAF with respect to (a) the deadline to object to Ambac's Rule 2004 Motion [ECF No. 1283] and (b) the deadline to object to National Public Finance's Rule 2004 motion [ECF. No. 1228], until two working days after the District Court resumes operations. Out of an abundance of caution, AAFAF also wishes to confirm with the District Court that all other deadlines in the Title III cases and related adversary proceedings (other than those addressed herein) are extended in accordance with the Extension Notice.

Dated: September 19, 2017
San Juan, Puerto Rico

Respectfully submitted,

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Exhibit A

Hurricane Maria Public Advisory



NATIONAL HURRICANE CENTER

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

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ZCZC MIATCPAT5 ALL
TTAA00 KNHC DDHHMM

BULLETIN

Hurricane Maria Intermediate Advisory Number 13A
NWS National Hurricane Center Miami FL AL152017
800 AM AST Tue Sep 19 2017

...POTENTIALLY CATASTROPHIC HURRICANE MARIA HEADED FOR THE VIRGIN ISLANDS AND PUERTO RICO...

SUMMARY OF 800 AM AST...1200 UTC...INFORMATION

LOCATION...16.2N 62.8W
ABOUT 85 MI...135 KM W OF GUADELOUPE
ABOUT 170 MI...275 KM SE OF ST. CROIX
MAXIMUM SUSTAINED WINDS...160 MPH...260 KM/H
PRESENT MOVEMENT...WNW OR 300 DEGREES AT 9 MPH...15 KM/H
MINIMUM CENTRAL PRESSURE...933 MB...27.55 INCHES

WATCHES AND WARNINGS

CHANGES WITH THIS ADVISORY:

The Meteorological Service of St. Lucia has discontinued the Tropical Storm Warning for St. Lucia.

The Meteorological Service of Barbados has discontinued the Tropical Storm Watch for St. Vincent and the Grenadines.

SUMMARY OF WATCHES AND WARNINGS IN EFFECT:

A Hurricane Warning is in effect for...

- * Guadeloupe
- * Dominica
- * St. Kitts, Nevis, and Montserrat
- * U.S. Virgin Islands
- * British Virgin Islands
- * Puerto Rico, Culebra, and Vieques

A Tropical Storm Warning is in effect for...

- * Antigua and Barbuda
- * Saba and St. Eustatius
- * St. Maarten
- * Anguilla
- * Martinique

A Hurricane Watch is in effect for...

- * Saba and St. Eustatius
- * St. Maarten
- * St. Martin and St. Barthelemy
- * Anguilla
- * Isla Saona to Puerto Plata

A Tropical Storm Watch is in effect for...

- * West of Puerto Plata to the northern Dominican Republic-Haiti border

A Hurricane Warning means that hurricane conditions are expected somewhere within the warning area. Preparations to protect life and property should be rushed to completion.

A Tropical Storm Warning means that tropical storm conditions are expected somewhere within the warning area.

A Hurricane Watch means that hurricane conditions are possible within the watch area. A watch is typically issued 48 hours before the anticipated first occurrence of tropical-storm-force winds, conditions that make outside preparations difficult or dangerous.

A Tropical Storm Watch means that tropical storm conditions are possible within the watch area, generally within 48 hours.

Interests elsewhere in Hispaniola, the southeastern Bahamas, and the Turks and Caicos Islands should monitor the progress of Maria. Additional watches and warnings may be required today.

For storm information specific to your area in the United States, including possible inland watches and warnings, please monitor products issued by your local National Weather Service forecast office. For storm information specific to your area outside the United States, please monitor products issued by your national meteorological service.

DISCUSSION AND 48-HOUR OUTLOOK

At 800 AM AST (1200 UTC), the center of Hurricane Maria was located near latitude 16.2 North, longitude 62.8 West. Maria is moving toward the west-northwest near 9 mph (15 km/h), and this general motion is expected to continue through Wednesday. On the forecast track, the eye of Maria will move over the northeastern Caribbean Sea today, and approach the Virgin Islands and Puerto Rico tonight and Wednesday.

Maximum sustained winds are near 160 mph (260 km/h) with higher gusts. Maria is a potentially catastrophic category 5 hurricane on the Saffir-Simpson Hurricane Wind Scale. Some fluctuations in intensity are likely during the next day or two, but Maria is forecast to remain an extremely dangerous category 4 or 5 hurricane while it approaches the Virgin Islands and Puerto Rico.

Hurricane-force winds extend outward up to 30 miles (45 km) from the center and tropical-storm-force winds extend outward up to 125 miles (205 km). Sustained tropical storm force winds have recently been reported from Guadeloupe and Antigua.

The minimum central pressure estimated from Air Force Reserve Hurricane Hunter data is 933 mb (27.55 inches).

HAZARDS AFFECTING LAND

WIND: Hurricane conditions will continue to spread throughout portions of the hurricane warning area in the Leeward Islands this morning. Hurricane conditions should spread through the remainder of the hurricane warning area later today and Wednesday. Hurricane conditions are possible within the hurricane watch area in the Dominican Republic late Wednesday, with tropical storm conditions possible by early Wednesday. Tropical storm conditions are possible in the tropical storm watch area in the Dominican Republic on Wednesday.

Wind speeds atop and on the windward sides of hills and mountains could be much stronger than the near-surface winds indicated in this advisory.

STORM SURGE: A dangerous storm surge accompanied by large and destructive waves will raise water levels by as much as 7 to 11 feet above normal tide levels in the hurricane warning area near where the center of Maria moves across the Leeward Islands and the British Virgin Islands.

The combination of a dangerous storm surge and the tide will cause

normally dry areas near the coast to be flooded by rising waters moving inland from the shoreline. The water is expected to reach the following heights above ground if the peak surge occurs at the time of high tide...

Puerto Rico and the U.S. Virgin Islands...6 to 9 ft

The deepest water will occur along the immediate coast near and to the north and east of the landfall location, where the surge will be accompanied by large and destructive waves. Surge-related flooding depends on the relative timing of the surge and the tidal cycle, and can vary greatly over short distances. For information specific to your area, please see products issued by your local National Weather Service forecast office.

RAINFALL: Maria is expected to produce the following rain accumulations through Thursday:

Central and southern Leeward Islands...10 to 15 inches, isolated 20 inches.

U.S. and British Virgin Islands...10 to 15 inches, isolated 20 inches.

Puerto Rico...12 to 18 inches, isolated 25 inches.

Northern Leeward Islands from Barbuda to Anguilla...4 to 8 inches, isolated 10 inches.

Windward Islands and Barbados...2 to 4 inches, isolated 6 inches.

Eastern Dominican Republic...4 to 8 inches, isolated 12 inches.

Rainfall on all of these islands will cause life-threatening flash floods and mudslides.

SURF: Swells generated by Maria are affecting the Lesser Antilles. These swells are likely to cause life-threatening surf and rip current conditions. Please consult products from your local weather office.

NEXT ADVISORY

Next complete advisory at 1100 AM AST.

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OTHER RESOURCES

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US Dept of Commerce
National Oceanic and Atmospheric Administration
National Hurricane Center
11691 SW 17th Street
Miami, FL, 33165
nhcwebmaster@noaa.gov

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Exhibit B

Hurricane Maria Forecast Discussion

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WTNT45 KNHC 190853
TCDAT5

Hurricane Maria Discussion Number 13
NWS National Hurricane Center Miami FL AL152017
500 AM AST Tue Sep 19 2017

Interaction of the small core of Maria with the mountainous terrain of Dominica caused only a slight diminution of the intensity of the hurricane. Data from the Air Force Hurricane Hunter aircraft after the center passed the island indicate an intensity of about 135 kt, at the high end of category 4 strength. Another Air Force aircraft has begun investigating Maria, and preliminary data from the plane suggest that the hurricane may have regained category 5 intensity. Maria will be moving through a low-shear atmospheric environment and mainly over warm waters for the next couple of days. Some fluctuations in intensity are possible in the early part of the forecast period due to eyewall replacement events. Land influences could cause some weakening within the next 36 hours. Later in the forecast period, a modest increase in vertical shear could cause some weakening. The official intensity forecast is near or above the latest model consensus.

After smoothing out the trochoidal wobbles of Maria's eye, the initial motion estimate remains west-northwestward, or 300/8 kt. There is little change to the track forecast reasoning from the previous advisory package. A weak ridge situated over the western Atlantic is expected to steer Maria west-northwestward through 48 hours, and on this track the center of the hurricane is forecast to pass near or over the Virgin Islands and Puerto Rico on Wednesday. After that time, the western portion of the ridge is forecast to weaken, partially due to the influence of the large circulation of Hurricane Jose. This should cause Maria to turn northwestward, then north-northwestward by day 4-5. There is fairly good agreement amongst the reliable guidance, and the new official track forecast is very similar to the previous one. This is generally near the left side of the envelope of model tracks, and favors the ECMWF and the corrected consensus predictions.

KEY MESSAGES:

1. Maria will affect portions of the northern Leeward Islands as an extremely dangerous major hurricane during the next day or so.
2. Maria is likely to affect Puerto Rico and the U.S. and British Virgin Islands as an extremely dangerous major hurricane tonight and Wednesday. Preparations to protect life and property should be rushed to completion.
3. A life-threatening storm surge, accompanied by large and destructive waves, is expected for the Leeward Islands, the U.S. and British Virgin Islands, and Puerto Rico.
4. Life-threatening flash floods and mudslides from heavy rainfall are expected across the Leeward Islands, including Puerto Rico and the U.S. and British Virgin Islands.

FORECAST POSITIONS AND MAX WINDS

INIT	19/0900Z	16.0N	62.3W	135 KT	155 MPH
12H	19/1800Z	16.7N	63.4W	140 KT	160 MPH
24H	20/0600Z	17.6N	64.8W	135 KT	155 MPH
36H	20/1800Z	18.5N	66.3W	125 KT	145 MPH...NEAR PUERTO RICO
48H	21/0600Z	19.3N	67.8W	125 KT	145 MPH
72H	22/0600Z	21.2N	70.4W	120 KT	140 MPH

96H 23/0600Z 23.7N 71.7W 110 KT 125 MPH
120H 24/0600Z 26.5N 72.5W 100 KT 115 MPH

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Forecaster Pasch

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